

REMARKS

Claims 51-69 are presented for examination in the instant application. Claims 52, 54-58 and 62-66 have been rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Lidow (US 2002/0194057), and Claims 51, 53, 59-61, and 67-69 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Lidow (US 2002/0194057) in view of official notice. . Claims 53, 54, and 62 have been amended. The Applicants submit that claims 51-69 are in condition for allowance and respectfully request reconsideration and withdrawal of the rejections. No new matter has been entered in this amendment.

Support for Claim Amendments

Applicant respectfully submits that support for each of the amended claim recitations can be found and consistent with page 13, lines 3-10.

Claim Rejections Under 35 U.S.C. § 101

Claims 51-69 stand rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Applicants have amended Claims 53 and 54 to positively recite that a processor performs the methods. As such Claims 51-61 are now statutory. However, Claims 62-69 recite a well-know statutory computer readable medium and is statutory in its present form.

Claim Rejections Under 35 USC § 103

Claims 52, 54-58, and 62-66 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Lidow (US 2002/0194057). The Applicants respectfully traverse the outstanding rejections and submit that claims 52, 54-58, and 62-66 are in condition for allowance.

As discussed further herein, Lidow does not teach, suggest or otherwise disclose the generation of a squared set build plan and the implementation of the MRP to generate the constrained and unconstrained forecasts as well as the squared set build plan. In addition, Applicants claimed invention aggregates demand received from a plurality of enterprise sites associated with the enterprise. Once the constrained forecast is generated, it generates the
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squared set build plan *individually* for each of the plurality of enterprise sites associated with the enterprise. Although the Office Action has indicated that features such as the MRP and the squared set build plan are notoriously old and well know, the Office Action is incorrect that implementing such features in Applicant's collaboration tool is obvious. "A patent composed of several elements is not proved obvious merely by demonstrating that each of its elements was, independently, known in the prior art." *KSR Int'l Co. v. Teleflex Inc.*, 127 S.Ct. 1727, 1741 (2007). To find obviousness, the Examiner must "identify a reason that would have prompted a person of ordinary skill in the art in the relevant field to combine the elements in the way the claimed new invention does." *Id.* Lidow is silent on these claimed features and it is evident that if these notoriously old features would have been so useful in Lidow's invention, then Lidow would have implemented the features. Applicants once more respectfully point out that the Office Action indicates that Lidow does not show using a constraint based optimization tool running a squared set analysis; producing a squared set build plan; and inputting the build plan into an MRP tool, as in Applicants' claimed invention. Therefore, it continues to be the case that the Examiner is using impermissible hindsight to come up with this combination, Applicant has amended Claim 54 in order to further recite the novelty and non-obviousness of the claimed invention to include "wherein the square sets thereby avoid generation of demand for components that will not be consumed". The additional recitation includes the further advantage that the claimed invention provides, that is, the prevention of unnecessary generation of demand for components that won't be consumed in the forecast.

Since Claim 62 contains similar features as Claim 54, Claim 62 is patentable over Lidow for at least the reasons given above for Claim 54. Because Lidow does not teach or make obvious the features recited in Applicants' Claims 53, 54 and 62, the Applicants submit that Claims 53, 54 and 62 are patentable over Lidow. Claims 51, 52, and 55-61 depend from what should be an allowable base Claim 54. Claims 63-69 depend from what should be an allowable base Claim 62. For at least these reasons, the Applicants submit that claims 51, 52, 55-61, and 63-69 are in condition for allowance and respectfully request reconsideration and withdrawal of the rejections.

Claims 51, 53, 59-61, and 67-69 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Lidow (US 2002/0194057) in view of official notice. The Applicants respectfully traverse the outstanding rejections and submit that claims 51, 53, 59-61, and 67-69 are in condition for allowance. Applicants have argued the inapplicability of Lidow above. Claim 53 includes similar recitations as Claims 54 and 62. Claims 51 and 59-61 depend from Claim 54 and Claims 67-69 depend from Claim 62. Applicants respectfully submit that Claims 51, 53, 59-61 and 67-69 are patentable over Lidow in view of Official Notice.

CONCLUSION

It is believed that the foregoing amendments and remarks fully comply with the Office Action and that claims 51-69 are in condition for allowance. Accordingly, reconsideration and allowance is respectfully requested. In the event the Examiner has any questions regarding this Amendment, Applicants' attorneys respectfully request the courtesy of a telephone conference.

In the event that there are any additional fees with respect to this Amendment, Applicants' attorneys respectfully request that such fees be withdrawn from Deposit Account No. 50-0510.

Respectfully submitted,

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